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DEPARTMENT OF EDUCATION
LANSING



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March 18, 2005

TO: Intermediate and Local School District Superintendents, Intermediate School District Special Education Approvals Contacts, Intermediate School District Directors of Special Education; Institutions of Higher Education, Department of Community Health, Department of Corrections, and Department of Human Services

FROM: Jeremy Hughes, Ph.D.

SUBJECT: No Child Left Behind Act/Individuals with Disabilities Education Act and Special Education Personnel Approvals

Under the No Child Left Behind (NCLB) Act and the Individuals with Disabilities Education Act (IDEA), the Michigan Department of Education is required to align standards to meet the requirements of "highly qualified" teachers in Michigan.

An option in NCLB allows a teacher to be highly qualified if participating in an alternative route to certification as defined at 34 C.F.R. §200.56(2)(ii) (see Attachment A). In Michigan, this will apply to persons under Special Education Personnel Approval as defined under Rule 340.1783 of the Revised Administrative Rules for Special Education (see Attachment B). Therefore, persons who have been hired through the special education personnel approvals process in Michigan are considered to be highly qualified through their participation in an alternative route to a certification. Individuals who are employed by a local school district under an alternative route to certification program must:

- (1) Receive high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching;
- (2) Participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers, or a teacher-mentoring program;
- (3) Assume functions as a teacher only for a specified period of time, not to exceed three years; and

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- (4) Demonstrate satisfactory progress toward full certification as prescribed by the state.

The timeline for meeting these requirements is contingent upon the date of employment under temporary approval as a special education teacher. If hired prior to the first day of school in the 2003-04 school year, and working under temporary or continuing temporary approval, the teacher must meet the requirements by the end of the 2005-06 school year. All other candidates **may only function under a temporary or continuing temporary approval for three years effective on the date of hire for that position within the school district to be considered "Highly Qualified."**

Please inform your local districts and local special education directors of this change. As a reminder, under No Child Left Behind, all teachers must meet the highly qualified standards by the end of the 2005-06 school year.

If you have any questions as they relate to Special Education Personnel Approvals and NCLB/IDEA, please contact Roxanne Balfour at (517) 335-0468, or via email at balfourr@michigan.gov.

Attachments

c: Jacquelyn J. Thompson, Ph.D.
Flora Jenkins, Ph.D.

Attachment A

71730 Federal Register/Vol. 67, No. 231/Monday, December 2, 2002/Rules and Regulations

§ 200.56 Definition of “highly qualified teacher.”

To be a “highly qualified teacher,” a teacher covered under § 200.55 must meet the requirements in paragraph (a) and either paragraph (b) or (c) of this section.

(a) *In general.* (1) Except as provided in paragraph (a)(3) of this section, a teacher covered under § 200.55 must—

(i) Have obtained full State certification as a teacher, which may include certification obtained through alternative routes to certification; or

(ii)(A) Have passed the State teacher licensing examination; and

(B) Hold a license to teach in the State.

(2) A teacher meets the requirement in paragraph (a)(1) of this section if the teacher—

(i) Has fulfilled the State’s certification and licensure requirements applicable to the years of experience the teacher possesses; or

(ii) Is participating in an alternative route to certification program under which—

(A) The teacher—

(1) Receives high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(2) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;

(3) Assumes functions as a teacher only for a specified period of time not to exceed three years; and

(4) Demonstrates satisfactory progress toward full certification as prescribed by the State; and

(B) The State ensures, through its certification and licensure process, that the provisions in paragraph (a)(2)(ii) of this section are met.

(3) A teacher teaching in a public charter school in a State must meet the certification and licensure requirements, if any, contained in the State’s charter school law.

(4) If a teacher has had certification or licensure requirements waived on an emergency, temporary, or provisional basis, the teacher is not highly qualified.

(b) *Teachers new to the profession.* A teacher covered under § 200.55 who is new to the profession also must—

(1) Hold at least a bachelor’s degree; and

(2) At the public elementary school level, demonstrate, by passing a rigorous

State test (which may consist of passing a State certification or licensing test), subject knowledge and teaching skills in reading/language arts, writing, mathematics, and other areas of the basic elementary school curriculum; or

(3) At the public middle and high school levels, demonstrate a high level of competency by—

(i) Passing a rigorous State test in each academic subject in which the teacher teaches (which may consist of passing a State certification or licensing test in each of these subjects); or

(ii) Successfully completing in each academic subject in which the teacher teaches—

(A) An undergraduate major;

(B) A graduate degree;

(C) Coursework equivalent to an undergraduate major; or

(D) Advanced certification or credentialing.

(c) *Teachers not new to the profession.* A teacher covered under § 200.55 who is not new to the profession also must—

(1) Hold at least a bachelor's degree; and

(2)(i) Meet the applicable requirements in paragraph (b)(2) or (3) of this section; or

(ii) Based on a high, objective, uniform State standard of evaluation in accordance with section 9101(23)(C)(ii) of the ESEA, demonstrate competency in each academic subject in which the teacher teaches.

(Approved by the Office of Management and Budget under control number 1810–0581)

(Authority: 20 U.S.C. 7801(23))

Attachment B

R 340.1783 Temporarily approved teachers of students with disabilities.

Rule 83. Under procedures established by the department, the department may grant temporary approval as a teacher of students with disabilities to persons who hold a valid Michigan teaching certificate. The employing superintendent shall certify that the district conducted a search for fully qualified personnel and that no certified teacher who holds full approval or endorsement for the position was available at the time of the assignment. Continuation of temporary approval shall be dependent upon the satisfactory completion of not less than 6 semester or equivalent hours of required credit toward full approval between August 31 of the current school year and September 1 of the next school year that the teacher is employed. The school district is not required to conduct a search for a fully qualified teacher in successive school years if the candidate meets these requirements. The school district is not required to remove a teacher under temporary or continuing approval when a fully approved or endorsed teacher becomes available.